IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.418 OF 1998

The Ruby Mills Ltd. ..Petitioner.

Vs.

M/s. Alpic Finance Ltd. ..Respondent.

...

None for the Petitioner.
Mr. A.W. Ansari for the Respondent.

...

CORAM: **DR. D.Y. CHANDRACHUD, J.**

21st June, 2007.

P.C. :

1. An order of winding up has already been passed in Company Petition 853 of 2000. From the record it would appear that the present Company Petition was dismissed by an order dated 2nd December, 1998. On 6th June, 2007 in an appeal preferred by the Petitioner (Appeal 335 of 1999) a Division Bench of this Court while recording that several petitions for winding up had been admitted and a Provisional Liquidator had been appointed, set aside the order of the learned Single Judge and while admitting the Company Petition for winding up restored the

Petition.

2. Since an order of winding up has already been passed in Company Petition 853 of 2000, the present Company Petition is disposed of leaving it open to the Petitioner to raise its claim before the Liquidator in the course of liquidation proceedings. The Official Liquidator shall adjudicate upon the said claim in accordance with law.